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29 *Attorneys for Plaintiff City of Spokane*

30 **UNITED STATES DISTRICT COURT**
31 **EASTERN DISTRICT OF WASHINGTON**

32 CITY OF SPOKANE, a municipal
33 corporation located in the County
34 of Spokane, State of Washington

35 Plaintiff,

36 V.

37 MONSANTO COMPANY, et al.

38 Defendants.

39 Case No. 2:15-cv-00201-SMJ

40 **JOINT LR 37.1(b) STATEMENT RE**
41 **ECF NO. 110**

1 The above-captioned parties state, pursuant to LR 37.1(b), that they have met and
2 conferred regarding the issues raised in Plaintiff's Motion to Compel Defendants'
3 Responses to Interrogatories, Set One; Nos 1 and 2. ECF No. 110. The parties conferred
4 prior to the filing of the motion, as set forth in ECF No. 110, and following the filing of
5 Monsanto's Opposition, on March 20, 2017 the parties conferred again. The results of
6 these meet-and-confer efforts are that:

8 (1) Plaintiff acknowledges that Defendants have supplemented their responses to
9 Interrogatory Nos. 1 and 2 twice (on March 3, 2017 and March 17, 2017 for Interrogatory
10 No. 1 and on March 17, 2017 for Interrogatory No. 2).

12 (2) With respect to Interrogatory No. 1, the remaining issue is that Plaintiff is
13 seeking a Court order requiring Defendants to provide a complete and verified response.
14 Defendants have not yet provided their verification of the Interrogatory No. 1 response, but
15 plan to do so and believe this will address Plaintiff's remaining concern. Plaintiff is unable
16 to ascertain whether the response is complete and verified until after receipt and review of
17 the verification.

19 (3) With respect to Interrogatory No. 2, the Plaintiff has the same remaining issue
20 with respect to a complete and verified response as described with respect to Interrogatory
21 No. 1 and, again, Defendants plan to serve a verification. Additionally, Plaintiff believes
22 that Defendants have not fully identified the cases as requested in the Interrogatory.
23 Defendants disagree.

1 Additionally, during the meet-and-confer discussion on March 20, 2017, Plaintiff
2 represented that it intends to seek additional relief beyond a full and complete response to
3 Interrogatory Nos. 1 and 2, which will include (1) Plaintiff's request that this Court order
4 Defendants to produce all the testimony identified in response to Interrogatory No. 1; and
5 (2) Plaintiff's request that this Court order Defendants to produce electronically the portion
6 of the PCB Litigation Archive which has already been scanned, and order the remainder of
7 the PCB Litigation Archive to be scanned by a third party and produced to Plaintiff.
8 Defendants objected to such relief as outside the scope of Plaintiff's motion (and would
9 object to it on substantive grounds when/if such issues are properly included in any motion
10 before this Court).

13 (4) This joint statement replaces the Plaintiff's LR 37.1 statement filed March 20,
14 2017 at ECF No. 117.

1 RESPECTFULLY SUBMITTED this 21st day of March, 2017.
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4 By: s/ Elizabeth L. Schoedel
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21 *Attorneys for Plaintiff City of Spokane*

22 RESPECTFULLY SUBMITTED this 21st day of March, 2017.
23
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18 Attorneys for Defendants Monsanto Company,
19 Solutia Inc., and Pharmacia LLC

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 21st day of March, 2017, I caused the foregoing
3 **LR 37.1(b) STATEMENT RE ECF NO. 110** to be electronically filed with the Clerk of
4 the Court using the CM/ECF system which will send notification of such filing to the
5 following:

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13
14 Dated: March 20, 2017

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